



# Town of Merrimack, New Hampshire

Community Development Department

6 Baboosic Lake Road

Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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## RESULTS OF MERRIMACK PLANNING BOARD

Tuesday, February 19, 2013

**Matthew Thornton Meeting Room, West Wing, Second Floor (Former Courtroom)**

**7:30 p.m.**

**Planning Board members present: Robert Best, Alastair Millns, Tom Koenig (arrived 7:38 p.m.), Michael Redding, Lynn Christensen, Stanley Bonislowski, Desirea Falt, and Alternates Nelson Disco, Pete Gagnon and Matthew Passalacqua (left 10:30 p.m.).**

**Community Development staff: Assistant Planner Jeff Morrisette and Recording Secretary Zina Jordan.**

### **1. Call to Order.**

*Robert Best called the meeting to order at 7:30 p.m.*

### **2. Planning & Zoning Administrator's Report.**

*None.*

### **3. John J. Flatley Company (applicant/owner) – Consideration of Final Approval of a subdivision application proposing to subdivide one lot into a total of three industrial lots located at Daniel Webster Highway (to the rear of Saint-Gobain) in the I-1 (Industrial) & Aquifer Conservation Districts, and Wellhead Protection Area. Tax Map 6E, Lot 003-4. **This agenda item is continued from the February 5, 2013, meeting.****

*Applicant was represented by: James Petropulos, Vice President/Principal Engineer, Hayner-Swanson, Inc., and Dick Cane, Vice President, John J. Flatley Company.*

*Tom Koenig arrived at 7:38 p.m.*

*There was no public comment.*

*The Board voted 6-0-1 to grant final approval with conditions, on a motion made by Alastair Millns and seconded by Lynn Christensen. Tom Koenig abstained.*

### **4. John J. Flatley Company (applicant/owner) – Consideration of Final Approval for a request of a Non-Residential Site Plan application proposing to construct a 120,000 s.f. warehouse/distribution facility located at Daniel Webster Highway in the I-1 (Industrial) & Aquifer Conservation Districts, and Wellhead Protection Area. Tax Map 6E, Lot 003-5. **This agenda item is continued from the February 5, 2013, meeting.****

*Applicant was represented by: James Petropulos, Vice President/Principal Engineer, Hayner-Swanson, Inc., and Dick Cane, Vice President, John J. Flatley Company.*

*There was no public comment.*

*The Board voted 7-0-0 to waive the requirements of Section 7.04(4)r – Sidewalks – of the Subdivision Regulations, with one condition, on a motion made by Lynn Christensen and seconded by Desirea Falt.*

*The Board voted 7-0-0 to waive the requirements of Section 12.04(2)b – Design Standards: Façade – of the Subdivision Regulations, with one condition, on a motion made by Alastair Millns and seconded by Lynn Christensen.*

*A motion by Alastair Millns to grant final approval with two additional conditions (not to use MCC-approved fertilizers and no de-icing compounds), failed for lack of a second.*

*The Board voted 6-1-0 to grant final approval with two additional conditions (to use minimal amount of de-icing compounds except for severe icing conditions and that the facilities manager be Green SnowPro certified), on a motion made by Desirea Falt and seconded by Lynn Christensen. Tom Koenig voted in the negative.*

- 5. JBD Realty Group, LLC. (applicant/owner) – Review for Acceptance and consideration of Final Approval of an application proposing to construct a 20,000 s.f. warehouse building located at 35 Railroad Avenue in the I-1 (Industrial) & Aquifer Conservation Districts. Portions of the parcel are also subject to the Flood Hazard Conservation District. Tax Map 5D-1, Lot 007.**

*Applicant was represented by: Tony Basso, Vice President, Keach-Nordstrom Associates, Inc.*

*The Board voted 7-0-0 to accept the application for review, on a motion made by Lynn Christensen and seconded by Michael Redding.*

*The Board voted 7-0-0 to waive the requirements of Section 12.04(2)(e) – Industrial Design District – Doorways – of the Subdivision Regulations, on a motion made by Alastair Millns and seconded by Desirea Falt.*

*The Board voted 6-1-0 to waive the requirements of Section 7.04(4)(r) – Sidewalks – of the Subdivision Regulations, on a motion made by Alastair Millns and seconded by Lynn Christensen. Tom Koenig voted in the negative.*

*The Board voted 5-1-1 to reconsider the previous vote, on a motion made by Lynn Christensen and seconded by Alastair Millns. Michael Redding voted in the negative; Robert Best abstained.*

*The Board voted 6-1-0 to waive the requirements of Section 7.04(4)(r) – Sidewalks – of the Subdivision Regulations, on a motion made by Alastair Millns and seconded by Lynn Christensen. Stanley Bonislowski voted in the negative.*

*Public comment was received from: Dave Cota, 29 & 31 Railroad Avenue.*

*At the request of the applicant, the Board voted 7-0-0 to postpone this item to March 19, 2013, in the Matthew Thornton Room, at Town Hall, at 7:30 p.m., on a motion made by Alastair Millns and seconded by Desirea Falt.*

*Matthew Passalacqua left at 10:30 p.m.*

- 6. Brighter Horizons Environmental Corp. (applicant) and James Longa & Son, Inc. and James E. Longa Revocable Trust (owners) – Review for Acceptance and consideration of Final Approval of an application proposing partial reclamation of a sand and gravel pit**

located at 17 Twin Bridge Road in the I-1 (Industrial) & Aquifer Conservation Districts. Tax Map 5D-1, Lot 010 and Tax Map 5D-2, Lot 010.

*Applicant was represented by: Attorney Greg Michael, Bernstein Shur, and Rich Niles, AMEC Environmental and Infrastructure, Inc.*

*Applicant withdrew the application.*

7. **Discussion/possible action regarding other items of concern. Lorraine O. Cox Revocable Trust, James Cox & Roark Cox, Trustees** Voluntary Lot Merger for Tax Map 3C, Lots 112 and 113, also known as #17 & #11 Cedar Lane, respectively.

*Discussion only.*

8. **Approval of Minutes.**

*None.*

9. **Adjourn.**

*The meeting adjourned at 10:42 p.m., by a vote of 7-0-0, on a motion made by Alastair Millns and seconded by Tom Koenig.*